## REMARKS/ARGUMENTS

Claims 286-297 are pending in this application, of which, claim 286 is independent. Applicants respectively request consideration of the patentability of the pending claims of the present application in view of the following remarks.

### Rejections Under 35 U.S.C. § 103(a)

Claims 279-285 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the website www.igive.com (iGive.com) in view of U.S. Patent No. 5,806,045 to Biorge et al. Applicants have cancelled claims 279-285 and as such, this rejection is now moot.

The present invention is an open system (i.e. no pre-registration of user, search object, provider, or beneficiary group as in prior art) that sets no limits on the user, provider, or beneficiary, but allows the creation of a business transaction and an arrangement between and among a variety of such parties, even those previously unknown to each other, as the result of dynamic, "on the fly" searching, and spontaneous, dickered terms of the arrangement and the business transaction.

Other novel features of the present invention include that the arrangement, as well as the benefit of the transaction, is determined by the user and the provider, and that the arrangement indicates how proceeds of the business transaction are to be allocated. Additionally, it is the user, not the provider that executes the business transaction in real time in accordance with the completed terms and conditions of the arrangement. In prior art systems, including iGive.com, the user does not have the real time authority to direct the provider or the payment entity to allocate a portion of the proceeds to a third party entity with no prior limitations or restrictions from the provider or payment entity.

Also in the present invention, unlike prior art systems, the user specifies search parameters, including the search object and a beneficiary group. A list of providers is generated from the search. If an acceptable match is not found using these conditional parameters, the conditional parameters are generalized which expands the search and generates a second list of providers. This process continues until a match is found. Once a match is found, the arrangement

between the user and the provider is determined, on the fly, by exchanges between user and provider. The business transaction is executed when the user accepts the arrangement. The user's acceptance causes the delivery of the search object to the user, and the distribution of the business transaction allocation proceeds to the provider, the beneficiary group, and the information

5      server entity, respectively, pursuant to the arrangement.

Several elements/steps of the present invention, as set forth in claim 286, are novel from the prior art, including (but not limited to):

(1) determining the search object, on the fly (i.e. no pre-registration of provider, goods or services necessary, as in iGive.com);

10      (2) determining, on the fly, if at least one responding provider matches the user-specified parameters (there is no pre-arrangement with provider or entity required, as in iGive.com and other prior art);

(2) generalizing the user-specified parameters, on the fly, if no providers match the parameters or if the matches are unacceptable to the user (there is no restriction on providers as in

15      iGive.com);

(3) determining an arrangement, on the fly, between the user and the provider; wherein the arrangement includes the user receiving the search object from the provider, and the establishment of a business transaction proceeds allocation (as opposed to a rebate or user account as in all prior art);

20      (4) executing the business transaction, promptly upon the user's acceptance of the arrangement (as opposed to conditional and delayed access to the benefit, as in iGive.com); and

(5) causing the selected provider to deliver the search object, and the at least one payment entity to immediately distribute the business transaction allocation proceeds (their respective shares) to: the provider, at least one user-specified beneficiary, and the information server entity,

25      respectively, pursuant to the arrangement (as opposed to all prior art which does not deterring an arrangement having a business transaction proceeds allocation, as in the present invention).

Based on at least the foregoing reasons, Applicants respectfully submit that independent Claim 286 is patentably distinguishable over the prior art. Applicants respectfully request allow-

30      ance of Claim 286.

## CONCLUSION

In view of the above, Applicants respectfully request allowance of independent claim 286 and subsequently claims 287-297 which depend therefrom. If the Examiner believes that a telephone conference with Applicants' representative might expedite prosecution of this application, she is cordially invited to call at the number listed below.

Respectfully submitted,

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